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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number	10/658,348
Filing Date	September 8, 2003
First Named Inventor	Stephen D. Pacetti
Group Art Unit	3738
Examiner Name	Hieu Phan
Total Number of Pages in This Submission: 14	**Attorney Docket Number** 50623.332

ENCLOSURES *(check all that apply)*

- ☒ Deposit Account 07-1850 Authorization
- ☐ 2 Postage Paid Return Postcards
- ☐ Preliminary Amendment
- ☐ Fee Transmittal (in duplicate)
- ☐ Utility Patent Application Transmittal
- ☐ Copy of Combined Declaration/ Power of Attorney (2 pages)
- ☒ Information Disclosure Statement (in duplicate) with Form PTO-1449 and 290 References
- ☐ Express Mail Label No.
- ☐ Certified Copy of Priority Document(s)
- ☐ Response to Missing Parts/ Incomplete Application
  - ☐ Response to Missing Parts under 37 CFR 1.52 or 1.53
- ☐ Copy of Assignment Papers (cover sheet & documents)
- ☐ Formal Drawings
- ☐ Specification
- ☐ Request for Continued Examination Transmittal (RCE)
- ☐ Fee Transmittal Form (in duplicate)
- ☐ Power of Attorney, Revocation Change of Correspondence Address
- ☐ Terminal Disclaimer
- ☐ Request for Refund
- ☐ CD, Number of CD(s) ____
- ☐ After Allowance Communication to Group
- ☐ Appeal Communication to Board of Appeals and Interferences
- ☐ Appeal Communication to Group *(Appeal Notice, Brief, Reply Brief)*
- ☐ Proprietary Information
- ☐ Status Letter
- ☐ Other Enclosure(s) *(please identify below)*:

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Squire, Sanders & Dempsey L.L.P. Paul J. Meyer, Jr., Reg. No. 47,791
Signature	
Date	December 30, 2003

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this date: December 31, 2003

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:		Examiner:	Hieu Phan
Stephen D. Pacetti et al.			
Serial No.:	10/658,348	Art Unit:	3738
Filed:	September 8, 2003		
Title:	A Method of Forming A Diffusion Barrier Layer for Implantable Devices		

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT PURSUANT TO 37 C.F.R. §§1.97-1.98

Sir:

In accordance with the duty of disclosure under 37 C.F.R. §1.56 and pursuant to 37 C.F.R. §§1.97-1.98, Applicants hereby notify the U.S. Patent and Trademark Office of the references listed on the attached Form PTO-1449. According to a Notice signed July 11, 2003, the U.S. Patent and Trademark Office has waived the requirement under 37 C.F.R. § 1.98(a)(2)(i) for all patent applications filed after June 30, 2003. *See*, 1276 Off. Gaz. Pat. Office 55. Since this patent application was filed after June 30, 2003, Applicants have not provided copies of the cited U.S. patents or the U.S. Patent Application Publications. Copies of the cited foreign patent documents and non-patent literature have been submitted herewith.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicants reserve the right to dispute any of the listed documents as prior art during examination. Furthermore, Applicants do not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application. The submission of this Information Disclosure Statement is not to be construed as a representation that a search has been made or that no other material information may exist.

The Examiner is requested to initial the enclosed Form PTO-1449 and return a copy thereof to the undersigned.

The present Information Disclosure Statement is being filed before receiving the first Office Action. Therefore, no certification under 37 C.F.R §1.97(e) or fee under 37 C.F.R. §1.17(p) is required. However, the Commissioner is authorized to charge any deficiencies or other amounts due to Deposit Account No. 07-1850.

Date: December 30, 2003

Respectfully submitted,

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FORM PTO-1449 (Modified)	US DEPARTMENT OF COMMERCE	Docket No.	Application No.
Approved for use through 10/31/2002	US Patent and Trademark Office	50623.332	10/658,348
INFORMATION DISCLOSURE CITATION in an Application (Use several sheets if necessary)		Applicant: Stephen D. Pacetti et al.	
		Filing Date: September 8, 2003	Group Art Unit: 3738

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U.S. PATENT DOCUMENTS

Examiner Initial	Ref. No.	Document Number	Date of Patent	Name	Class	Subclass	Filing Date if Appropriate
	A1	4,329,383	5/11/82	Joh	428	36	
	A2	4,733,665	3/29/88	Palmaz	128	343	
	A3	4,800,882	1/31/89	Gianturco	128	343	
	A4	4,882,168	11/21/89	Casey et al.	424	468	
	A5	4,886,062	12/12/89	Wiktor	128	343	
	A6	4,941,870	7/17/90	Okada et al.	600	36	
	A7	4,977,901	12/18/90	Ofstead	128	772	
	A8	5,064,435	11/12/91	Porter	623	12	
	A9	5,071,407	12/10/91	Termin et al.	604	104	
	A10	5,078,736	1/7/92	Behl	623	1	
	A11	5,092,841	3/3/92	Spears	604	96	
	A12	5,112,457	5/12/92	Marchant	204	165	
	A13	5,165,919	11/24/92	Sasaki et al.	424	488	
	A14	5,272,012	12/21/93	Opolski	428	423.1	
	A15	5,292,516	3/8/94	Viegas et al.	424	423	
	A16	5,298,260	3/29/94	Viegas et al.	424	486	
	A17	5,300,295	4/5/94	Viegas et al.	424	427	
	A18	5,306,501	4/26/94	Viegas et al.	424	423	
	A19	5,328,471	7/12/94	Slepian	604	101	
	A20	5,330,768	7/19/94	Park et al.	424	501	
	A21	5,344,411	9/6/94	Domb et al.	604	265	
	A22	5,344,425	9/6/94	Sawyer	606	198	
	A23	5,380,299	1/10/95	Fearnot et al.	604	265	
	A24	5,417,981	5/23/95	Endo et al.	424	486	
	A25	5,447,724	9/5/95	Helmus et al.	424	426	
	A26	5,455,040	10/3/95	Marchant	424	426	

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	A27	5,462,990	10/31/95	Hubbell et al.	525	54.1	
	A28	5,464,650	11/7/95	Berg et al.	427	2.30	
	A29	5,474,089	12/12/95	Waynant	128	843	
	A30	5,569,463	10/29/96	Helmus et al.	424	426	
	A31	5,571,086	11/5/96	Kaplan et al.	604	96	
	A32	5,576,072	11/19/96	Hostettler et al.	427	532	
	A33	5,578,073	11/26/96	Haimovich et al.	623	1	
	A34	5,605,696	2/25/97	Eury et al.	424	423	
	A35	5,609,629	3/11/97	Fearnot et al.	623	1	
	A36	5,624,411	4/29/97	Tuch	604	265	
	A37	5,628,730	5/13/97	Shapland et al.	604	21	
	A38	5,628,730	5/13/97	Shapland et al.	604	21	
	A39	5,649,977	7/22/97	Campbell	623	1	
	A40	5,658,995	8/19/97	Kohn et al.	525	432	
	A41	5,662,960	9/2/97	Hostettler et al.	427	2.3	
	A42	5,667,767	9/16/97	Greff et al.	424	9.411	
	A43	5,670,558	9/23/97	Onishi et al.	523	112	
	A44	5,676,685	10/14/97	Razavi	606	194	
	A45	5,679,400	10/21/97	Tuch	427	2.14	
	A46	5,700,286	12/23/97	Tartaglia et al.	623	1	
	A47	5,702,754	12/30/97	Zhong	427	2.12	
	A48	5,716,981	2/10/98	Hunter et al.	514	449	
	A49	5,728,152	3/17/98	Mirsch, II et al.	623	2	
	A50	5,735,897	4/7/98	Buirge	623	12	
	A51	5,746,998	5/5/98	Torchilin et al.	424	9.4	
	A52	5,762,638	6/9/98	Shikani et al.	604	265	
	A53	5,776,184	7/7/98	Tuch	623	1	
	A54	5,788,979	8/4/98	Alt et al.	424	426	
	A55	5,792,550	8/11/98	Phillips et al.	428	336	
	A56	5,800,392	9/1/98	Racchini	604	96	
	A57	5,820,917	10/13/98	Tuch	427	2.1	
	A58	5,824,048	10/20/98	Tuch	623	1	

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	A59	5,824,048	10/20/98	Ragheb et al.	623	1	
	A60	5,830,178	11/3/98	Jones et al.	604	49	
	A61	5,830,430	11/3/98	Unger et al.	424	1.21	
	A62	5,837,008	11/17/98	Berg et al.	623	1	
	A63	5,837,313	11/17/98	Ding et al.	427	2.21	
	A64	5,843,156	12/1/98	Slepian et al.	623	1	
	A65	5,849,035	12/15/98	Pathak et al.	623	1	
	A66	5,849,368	12/15/98	Hostettler et al.	427	536	
	A67	5,851,508	12/22/98	Greff et al.	424	9.411	
	A68	5,854,382	12/29/98	Loomis	528	354	
	A69	5,855,563	1/5/99	Kaplan et al.	604	49	
	A70	5,855,599	1/5/99	Wan	623	1	
	A71	5,858,746	1/12/99	Hubbell et al.	435	177	
	A72	5,858,990	1/12/99	Walsh	514	44	
	A73	5,865,814	2/2/99	Tuch	604	265	
	A74	5,869,127	2/9/99	Zhong	427	2.12	
	A75	5,873,904	2/23/99	Ragheb et al.	623	1	
	A76	5,876,433	3/2/99	Lunn	623	1	
	A77	5,877,224	3/2/99	Brocchini et al.	514	772.2	
	A78	5,895,420	4/20/99	Mirsch, II et al.	623	2	
	A79	5,898,066	4/27/99	Benowitz et al.	530	300	
	A80	5,899,935	5/4/99	Ding	623	1	
	A81	5,911,702	6/15/99	Romley et al.	604	53	
	A82	5,919,570	7/6/99	Hostettler et al.	428	424.8	
	A83	5,925,720	7/20/99	Kataoka et al.	525	523	
	A84	5,951,458	9/14/99	Hastings et al.	600	3	
	A85	5,955,509	9/21/99	Webber et al.	514	772.7	
	A86	5,961,547	10/5/99	Razavi	623	1	
	A87	5,971,954	10/26/99	Conway et al.	604	96	
	A88	5,980,928	11/9/99	Terry	424	427	
	A89	5,980,972	11/9/99	Ding	427	2.24	
	A90	5,997,517	12/7/99	Whitbourne	604	265	
	A91	6,005,020	12/21/99	Loomis	523	105	

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	A92	6,010,536	1/4/00	Goicoechea	623	1	2/18/98
	A93	6,013,780	1/11/00	Neufeld et al.	536	23.1	1/21/97
	A94	6,015,541	1/18/00	Greff et al.	424	1.25	11/3/97
	A95	6,017,577	1/25/00	Hostettler et al.	427	2.12	2/1/95
	A96	6,022,901	2/8/00	Goodman	514	733	5/13/98
	A97	6,026,316	2/15/00	Kucharczyk et al.	600	420	5/15/97
	A98	6,028,164	2/22/00	Loomis	528	354	2/1/99
	A99	6,030,656	2/29/00	Hostettler et al.	427	2.3	3/24/98
	A100	6,033,582	3/7/00	Lee et al.	216	37	1/16/98
	A101	6,040,058	3/21/00	Hostettler et al.	428	457	8/27/98
	A102	6,042,875	3/28/00	Ding et al.	427	2.24	3/2/99
	A103	6,051,648	4/18/00	Rhee et al.	525	54.1	1/13/99
	A104	6,051,576	4/18/00	Ashton et al.	514	255	1/29/97
	A105	6,056,993	5/2/00	Leidner et al.	427	2.25	4/17/98
	A106	6,056,938	5/2/00	Unger et al.	424	1.21	5/5/98
	A107	6,060,451	5/9/00	DiMaio et al.	514	13	3/20/95
	A108	6,060,518	5/9/00	Kabanov et al.	514	781	8/16/96
	A109	6,061,587	5/9/00	Kucharczyk et al.	600	411	5/15/97
	A110	6,080,488	6/27/00	Hostettler et al.	428	423.3	3/24/98
	A111	6,086,773	7/11/00	Dufresne et al.	216	8	5/22/98
	A112	6,096,070	8/1/00	Ragheb et al.	623	1	5/16/96
	A113	6,096,726	8/1/00	Opolski	514	53	3/11/98
	A114	6,099,562	8/8/00	Ding et al.	623	1.46	12/22/97
	A115	6,102,046	8/15/00	Weinstein et al.	128	898	6/2/98
	A116	6,110,188	8/29/00	Narciso, Jr.	606	153	3/9/98
	A117	6,110,483	8/29/00	Whitbourne et al.	424	423	6/23/97
	A118	6,113,629	9/5/00	Ken	623	1.1	5/1/98
	A119	6,120,536	9/19/00	Ding et al.	623	1.43	6/13/96
	A120	6,120,904	9/19/00	Hostettler et al.	428	423.3	5/24/99
	A121	6,121,027	9/19/00	Clapper et al.	435	180	8/15/97
	A122	6,126,649	10/3/00	VanTassel et al.	604	528	6/10/99
	A123	6,129,761	10/10/00	Hubbell	623	11	6/7/95
	A124	6,136,006	10/24/00	Johnson et al.	606	108	7/27/98

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	A125	6,140,462	10/31/00	Felt et al.	528	60	11/18/98
	A126	6,153,252	11/28/00	Hossainy et al.	427	2.3	4/19/99
	A127	6,156,064	12/5/00	Chouinard	623	1.44	8/14/98
	A128	6,156,350	12/5/00	Constantz	424	666	12/2/99
	A129	6,159,232	12/12/00	Nowakowski	606	213	12/15/98
	A130	6,162,244	12/19/00	Braun et al.	623	1.12	9/23/98
	A131	6,165,212	12/26/00	Dereume et al.	623	1.13	6/28/99
	A132	6,178,346	1/23/01	Amundson et al.	600	473	10/23/98
	A133	6,179,817	1/30/01	Zhong	604	265	1/28/99
	A134	6,183,469	2/6/01	Thapliyal et al.	606	41	1/2/98
	A135	6,197,051	3/6/01	Zhong	623	1.46	2/11/99
	A136	6,203,551	3/20/01	Wu	606	108	10/4/99
	A137	6,211,247	4/3/01	Goodman	514	733	11/4/99
	A138	6,231,600	5/15/01	Zhong	623	1.42	5/26/99
	A139	6,238,364	5/29/01	Becker	604	8	2/9/00
	A140	6,240,616	6/5/01	Yan	29	527.2	4/15/97
	A141	6,245,753	6/12/01	Byun et al.	514	56	4/27/99
	A142	6,251,136	6/26/01	Guruwaiya et al.	623	1.46	12/8/99
	A143	6,249,952	6/26/01	Ding	29	460	3/8/99
	A144	6,254,632	7/3/01	Wu et al.	623	1.15	9/28/00
	A145	6,254,634	7/3/01	Anderson et al.	623	1.42	6/10/98
	A146	6,258,121	7/10/01	Yang et al.	623	1.46	7/2/99
	A147	6,261,320	7/17/01	Tam et al.	623	1.15	2/19/99
	A148	6,265,016	7/24/01	Hostettler et al.	427	2.11	3/21/00
	A149	6,265,199	7/24/01	Sheppard et al.	435	212	7/9/99
	A150	6,274,164	8/14/01	Novich	424	443	9/15/00
	A151	6,283,947	9/4/01	Mirzaee	604	264	7/13/99
	A152	6,283,949	9/4/01	Roorda	604	288.02	12/27/99
	A153	6,284,305	9/4/01	Ding et al.	427	2.28	5/18/00
	A154	6,283,951	9/4/01	Flaherty et al.	604	529	3/25/98
	A155	6,287,628	9/11/01	Hossainy et al.	427	2.3	9/3/99

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	A156	6,287,249	9/11/01	Tam et al.	600	3	2/19/99
	A157	6,290,729	9/18/01	Slepian et al.	623	23.72	12/3/97
	A158	6,299,604	10/9/01	Ragheb et al.	604	265	8/20/99
	A159	6,302,875	10/16/01	Makower et al.	604	528	4/11/97
	A160	6,306,176	10/23/01	Whitbourne	623	23.59	9/21/99
	A161	6,306,177	10/23/01	Felt et al.	623	23.6	12/18/97
	A162	6,316,522	11/13/01	Loomis et al.	523	105	9/14/99
	A163	6,322,771	11/27/01	Linden et al.	424	9.3	6/18/99
	A164	6,331,313	12/18/01	Wong et al.	424	427	10/22/99
	A165	6,335,029	1/1/02	Kamath et al.	424	423	12/3/98
	A166	6,334,867	1/1/02	Anson	623	1.13	3/6/98
	A167	6,346,110	2/12/02	Wu	606	108	1/3/01
	A168	6,358,556	3/19/02	Ding et al.	427	2.24	1/23/98
	A169	6,379,381	4/30/02	Hossainy et al.	623	1.42	9/3/99
	A170	6,395,326	5/28/02	Castro et al.	427	2.24	5/31/00
	A171	6,391,052	5/02	Buirge	204	499	10/29/97
	A172	6,410,044	6/02	Chudzik	424	423	5/16/00
	A173	6,419,692	7/16/02	Yang et al.	623	1.15	2/3/99
	A174	6,451,373	9/17/02	Hossainy et al.	427	2.25	8/4/00
	A175	6,494,862	12/17/02	Ray et al.	604	96.01	12/30/99
	A176	6,503,556	1/7/03	Harish et al.	427	2.24	12/28/00
	A177	6,503,954	1/7/03	Bhat et al.	514	772.2	7/21/00
	A178	6,506,437	1/14/03	Harish et al.	427	2.25	10/17/00
	A179	6,527,801	3/4/03	Dutta	623	1.46	4/13/00
	A180	6,527,863	3/4/03	Pacetti et al.	118	500	6/29/01
	A181	6,540,776	4/1/03	Sanders Millare et al.	623	1.15	12/28/00
	A182	6,544,223	4/8/03	Kokish	604	103.01	1/5/01
	A183	6,544,543	4/8/03	Mandrusov et al.	424	422	12/27/00
	A184	6,544,582	4/8/03	Yoe	427	2.24	1/5/01
	A185	6,555,157	4/29/03	Hossainy	427	2.24	7/25/00

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	A186	6,558,733	5/6/03	Hossainy et al.	427	2.24	10/26/00
	A187	6,565,659	5/20/03	Pacetti et al.	118	500	6/28/01
	A188	6,572,644	6/3/03	Moein	623	1.11	6/27/01
	A189	6,585,765	7/1/03	Hossainy et al.	623	1.45	6/29/00
	A190	6,585,926	7/1/03	Mirzaee	264	400	8/31/00
	A191	6,605,154	8/12/03	Villareal	118	500	5/31/01
	A192	09/676,049		Castro et al.			9/28/00
	A193	09/750,595		Hossainy et al.			12/28/00

U.S. PATENT APPLICATION PUBLICATION DOCUMENTS

Examiner Initial	Ref. No.	Document Number	Date of Publication	Name	Class	Subclass	Filing Date if Appropriate
	A194	2001/0018469	8/30/01	Chen et al.	523	121	12/28/00
	A195	2001/0037145	11/1/01	Guruwaiya et al.	623	1.15	6/21/01
	A196	2002/0077693	6/20/02	Barclay et al.	623	1.13	12/19/00
	A197	2002/0091433	7/11/02	Ding et al.	623	1.2	12/17/01
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